

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DOMINGOS LUGAO PETROCELI,

Plaintiff,

-against-

U.S. DEPARTMENT OF JUSTICE,

Defendant.

21-CV-4793 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. The Court dismisses the complaint for the following reasons.

Plaintiff has previously submitted to this Court a nearly identical complaint in which he asserts the same claims. That case is presently pending under docket number 1:21-CV-3675 (LTS).<sup>1</sup> As this complaint raises the same claims, no useful purpose would be served by litigating this duplicate lawsuit. Therefore, this complaint is dismissed as duplicative, without prejudice to Plaintiff's pending case under docket number 1:21-CV-3675 (LTS).

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962). The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

Dated: May 28, 2021  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge

---

<sup>1</sup> The complaint under docket number 21-CV-3675 (LTS) cannot proceed unless Plaintiff pays the filing fees or requests leave to proceed *in forma pauperis*.